

ADJOURNMENT MOTION *re* : MYSORE-MADRAS ACCORD ON HEMAVATHY PROJECT

Sri H. M. CHANNABASAPPA (Periyapatna).—Sir, I have given notice of a motion.

Mr. SPEAKER.—I am giving the Ruling whether to give consent to the motion or not.

Sri H. M. CHANNABASAPPA.—Yesterday, Sir, the Chair was pleased to say that I will be given an opportunity to speak before a Ruling is given.

Mr. SPEAKER.—No.

Sri H. M. CHANNABASAPPA.—Please refer to the records.

Mr. SPEAKER.—There is no question of referring to the records. The Hon'ble Member need not misrepresent.

Sri H. M. CHANNABASAPPA.—It is not a question of misrepresentation or mis-interpretation. It is a question of facts. Please refer to the records.

Mr. SPEAKER.—I said that I will take up the matter tomorrow, meaning thereby whether to give consent or not.

Sri H. M. CHANNABASAPPA.—Sir, I made a request that this being a very important matter of urgent public importance, you must give an opportunity for me to explain as to how it is a matter of urgent public importance and you were pleased to say 'Yes'. If I am incorrect I would like to stand corrected.

Mr. SPEAKER.—I shall be guided by the Rules.

Sri H. M. CHANNABASAPPA.—Sir, I should be guided by your Ruling.

Mr. SPEAKER.—I said that I shall take up this matter today. What type of opportunity does the Hon'ble Member want?

Sri H. M. CHANNABASAPPA.—I want an opportunity to explain why consent should be given and to justify the need for moving such a motion.

Mr. SPEAKER.—The member may do that within five minutes.

Sri H. M. CHANNABASAPPA.—May I submit that the privilege of the Members of this Hon'ble House is in your hands! I should like to be guided by the rules alone.

Mr. SPEAKER. I shall read out the rules as to whether the Chair is bound to give a hearing to the Member for the purpose of giving consent or withholding consent.

Sri H. M. CHANNABASAPPA.—If you do not want to give me an opportunity, I obey the Chair. But, the privileges of the Members should be safeguarded. I am glad you have set up a good principle in resigning from the Party after becoming the Speaker. I accept your Ruling on that basis.

MR. SPEAKER.—The Hon'ble Member may enlighten the Chair under what rule an opportunity to explain is to be given. The other day I do not know whether the hon'ble Member was present at that time—a similar question arose. I then pointed out that on a similar occasion which arose in Lok Sabha, the then Speaker Sri Ananthashayanam Iyengar agreed to hear the member without creating a precedent. So I am agreeable to give an opportunity if the member briefly states the whole thing. But it need not be taken as a precedent.

SRI H. M. CHANNABASAPPA.—My experience in public life and also as M.L.A. is, that when an Adjournment Motion is moved, the Speaker has heard both the parties, the Government on the one side and the Member concerned on the other. I can quote instances, if necessary. It is not a new precedent. Precedents have already been created. I am drawing your kind attention to your own statement. Please refer to the records.

MR. SPEAKER.—I stand by my statement. The Hon'ble Member may be brief. There are also other motions in the same context, which have to be dealt with today. I have promised the House to give two or three Rulings. Perhaps, this is the last day, and therefore I cannot postpone my Rulings.

SRI H. M. CHANNABASAPPA.—The most important is the Adjournment motion. The business of the House shall stand adjourned when it is a matter of urgent public importance.

MR. SPEAKER.—The member may be brief and tell me why consent should be given. If the Chair gives consent, everything else stands adjourned. The member is a reasonable man having sufficient sense of proportion, and therefore he will not misuse the time.

SRI H. M. CHANNABASAPPA.—It is not my intention to misuse. I am not going to the merits of the subject. I will only confine myself as to why this matter should be treated as an urgent matter of public importance and should be allowed in preference to all the other business in the House.

SRI K. PUTTASWAMY.—Sir, the whole House is anxious to understand Sri Channabasappa. I only request him to kindly allow us some time so that the ideas he makes out may percolate to us. He does not seem to realise our limitations.

† **SRI H. M. CHANNABASAPPA.**—Thank you very much.

2-00 P.M.

Mr. Speaker Sir, I have sent notice of an adjournment motion under rule 50 and I wish that a business of this House should stand adjourned to discuss a matter of urgent public importance. For that the matter should be urgent; it should be of sufficient importance and also it must be a definite matter. The matter that I have included in the notice is a definite matter. It is an issue that has arisen on a

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publication made on 21-8-1963 in the Deccan Herald under the caption "Madras-Mysore Accord, on Hemavathy" and in the Prajavani under the caption ಹೇಮಾವತಿ ಜಲಾವಳಿ ಇತ್ಯರ್ಥ. In this statement the Chief Minister is reported to have given consent, either oral or written, that he would see that all legitimate requirements, under the rules and the law in the Agreement, of the Madras projects would be guaranteed and subject to that under the 1924 Agreement, Hemavathy project could be given clearance. This is what the Madras Government wanted and this is what the Mysore Government have given. So the matter is a definite matter. As regards public importance, I need hardly tell the House that a question pertaining to the rights and privileges of the entire country over the river water is definitely a matter of public importance and this fact has been substantiated by 45 members of this House, who have given you a motion to discuss a matter pertaining to the revision of the 1924 Agreement. This in itself speaks for the importance of the matter and I need not dilate and add anything further.

In regard to urgency, there is something that has got to be said. On 12th March 1958, nearly 10 years ago, the Mysore Government lodged a complaint to the Government of India requesting them for settlement of the disputes between Mysore and Madras in regard to the Cauvery waters and urged upon them to appoint a Tribunal if necessary under the Agreement. A little later the Government of India in a statement made in the Lok Sabha on 28th April 1959 conceded that there is a dispute and that the dispute has to be settled and therefore they have given a clear assurance that the Government of India would summon a meeting of the Mysore and the Madras Ministers for a settlement of this dispute. A little later the Madras Government conceded the request of the Mysore Government and they announced in the Madras Assembly that the Madras Government have agreed to meet the Mysore Ministers and discuss this matter for settlement of the dispute and this was reported in the Press. This statement was made on 16th March 1960, that is nearly 8 years ago.

Now, Sir, when the dispute about Cauvery waters has been before the Government of India and also a request has been made for the settlement of the dispute according to the rule and law, if clearance has been obtained by the Chief Minister for Hemavathy project subject to the provisions of the 1924 Agreement agreeing to safeguard the interests of all the Madras projects which have been constructed against all provisions of law and without the knowledge of Mysore and at the back of Mysore Government

Mr. SPEAKER.—It is openly constructed and so how can the member say that it is constructed without the knowledge and at the back of the Mysore Government?

Sri H. M. CHANNABASAPPA.—Excuse me, Sir. It is not for the Chair to comment. I can substantiate by evidence that it was done without the knowledge and at the back of the Mysore Government.

MR. SPEAKER.—The construction was made openly. How can it be without the knowledge of the Mysore Government ?

SRI H. M. CHANNABASAPPA.—Excuse me, Sir. It is not for the Chair to comment. I take the responsibility for making this statement. I am saying this with a sense of responsibility that these projects have been done without the knowledge of the Mysore Government. I do stand by my statement. We have come to know of them only after they were sanctioned.

Now if clearance has been obtained as is reported in the Press statement, then what will happen ? The reported statement, says that the Chief Minister has given a guarantee of adequate water supply to all the projects in Madras. He says that subject to that he will construct the Hemavathy project. What are the implications ? The implications are, may I submit and if that is so, it will spell ruin to all the projects in Mysore in the Cauvery valley whether it be Hemavathy, Kambadagada, Harangi. The provisions of the Agreement contemplate that we should guarantee limited flow over the upper anicut and release the required quantity of water from K. R. Sagar. Then what is the quantity of water available for Hemavathy project ? I do not want to go into the merits at this stage. If only an opportunity is given to me I will establish on the face of facts that Mysore would be constructing the Hemavathy project, not for the benefit of the people of Mysore and they would spend crores of Mysore money to safeguard the interests of Madras projects ; they would impound water to let it as and when required by the Madras Government. This will spell ruin for Hemavathy and there will be no water for Kambadagada or Harangi or any other project in the Cauvery valley to be taken up in future. So this is not a matter which has got to be treated lightly. It is a question pertaining to the lives of millions of people in the Cauvery valley and the overall economic development of this State. Therefore I have established that it is a matter of urgency because I learn that the Chief Minister is anxious to get the clearance for Hemavathy project and that the Madras Government have objected not only to the Hemavathy project but to all projects, as it is usual with them, and their strategy is to put break, delay the projects and make you agree to whatever they want. This is their special strategy not from today but right from 1914 when the question of allocation of waters of the K. R. Sagar was considered. Because of that Mysore has been put to so much loss and has remained economically backward and undeveloped. Madras contributes only 20 per cent of the waters of Cauvery and Mysore contributes 80 per cent of the waters of Cauvery. By contributing for 80 per cent of the waters of Cauvery we have been able to develop only 3 lakhs acres of land whereas by contributing only 20 per cent of the waters of Cauvery Madras has been able to develop 20 lakh acres of land. This is all on account of the 1914 Agreement which our Chief Minister has agreed to safeguard. This will spell ruin to Mysore State. Therefore I request that this House should be given an opportunity to

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discuss the whole matter, thrash it out completely to safeguard the interests of Mysore State. If this House does not agree to it, it will shut out the progress of this State for ever and this Government will run this State just as in the case of the Krishna valley.

The Chair might plead that I have brought it late. To safeguard myself I am going to make this statement. On 21st August 1938 only ten days before the meeting of the Assembly, and immediately after the Assembly met, I gave you a motion pertaining to the revision of the 1924 Agreement. You have not given a ruling whether to admit it or not. I waited thinking that this question may come as part of that subject. Till yesterday I was hopeful that this issue would not be treated so lightly by the Chair and by the Government.

Mr. SPEAKER.—So far as the Chair is concerned, there was no laxity or indifference. It is uncharitable on the part of the hon'ble Member to make such a reference to the Chair.

Sri H. M. CHANNABASAPPA.—Excuse me, Sir. I shall be happy if you are going to give due weight to this question. I waited till the last moment and it is only yesterday when I knew of its not being taken up, I thought I had no other option but to rise an adjournment motion.

Mr. SPEAKER.—The hon'ble Member Sri Channabasappa has given notice of an adjournment motion and according to him the subject matter of his adjournment motion is a matter of urgent public importance. I should like to state at the very beginning that I am as eager and as anxious as the hon'ble Member Channabasappa about safeguarding the interests of the State regarding the waters of Krishna or Cauvery and I hope every hon'ble Member is also as anxious as the hon'ble Member Sri Channabasappa in this matter. My personal choice has no relevance and I as the Speaker of the House must be guided by the provisions of the Rules of Procedure and Conduct of Business in the Assembly. The statement alleged to have been made by the Chief Minister according to Sri Channabasappa was on the 21st of last month. Along with his notice he did not give Copy of such statement and his notice as such is very vague. He has only referred to a statement reported to have been made by the Chief Minister. That does not matter now. He was good enough to give the date of the statement which according to him is 21st August 1938.

Sri H. M. CHANNABASAPPA — Sir, I may be permitted to read that statement. It is as follows :—

“The dispute between the Mysore and Madras Governments over the Hem vathi waters has been resolved and ‘broad agreement’ has been reached on their utilisation, it was stated today at the end of a tripartite conference.

Dr. K. L. Rao, Union Minister for Irrigation and Power, had a two-hour meeting with Mysore Chief Minister Veerendra Paul and Madras Public Works Minister Karunaniishi.

This high-level meeting was preceded by two days of talks between the officials of the two Governments aided by the Central Water and Power Commission.

Mr. Patil is understood to have assured Mr. Karunanidhi that the legitimate needs of Madras would not be jeopardised by any project that his Government might undertake on the Hemavathi.

Madras has been voicing fears that the reservoir level at the Mettur Dam might drop to levels that would not sustain the irrigation in the Cauvery delta if the Hemavathi waters were used in Mysore State itself."

This is my fear. What the Madras Government wanted, the Mysore Government is prepared to give.

Mr. SPEAKER.—This statement is alleged to have been made on 21st August 1968 and the adjournment motion was presented to me by the hon'ble Member Channabasappa yesterday through one of his messengers at 10.10 A.M. and the House was to meet at 12 O'clock. According to clause (iii) of rule 53 the motion should be restricted to a specific matter of recent occurrence. The question before the House and before me is whether this is a matter of recent occurrence. According to him, the occurrence was on 21st August 1968 and notice is given on 18th September, i.e., almost one month after the date of occurrence. The present session started on the 2nd and the hon'ble Member should have taken the earliest opportunity to bringing up this matter as an adjournment motion which he has done. Therefore, I hold that it is not a matter of recent occurrence and therefore under clause (ii) of rule 52 I withhold my consent to the adjournment motion.

Sri M. NAGAPPA.—May I know what is "recent occurrence" according to the Chair? What date will be counted as "recent occurrence"?

Mr. SPEAKER.—The Chair cannot give an opinion on a hypothetical case.

Sri H. M. CHANNABASAPPA.—I take the ruling of the Chair with great respect because of the due weight that has been given to this all-important subject.

MOTION *re*: THE REVISION OF 1924 CAUVERY VALLEY AGREEMENT BETWEEN THE STATE OF MYSORE AND MADRAS

Sri H. M. CHANNABASAPPA.—Sir, I rise to another point about the motion which I sent long back, before I went to the hospital. Till this minute I have not received any communication as to whether it is admitted or not admitted.